THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.20301 OF 2005

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Dt: 028.09.2005

Between:

M.Srirama Murthy,

S/o.Hanuma Nayak, Aged 20 years,

R/o.Goli Village, Rentachintala Mandal,

Guntur District.

.. Petitioner

AND

N.T.R. University of Health Sciences, A.P.,

Rep. by its Registrar, Vijayawada-520 008

and another.

.. Respondents

ORDER:

The petitioner appeared in the EAMCET-2005, with a view to secure admission in the first year of MBBS Course. He secured the rank of 21646. He belongs to Scheduled Tribe category. On the basis of the reservation, he was selected for admission and allotted to Maharaja Institute of Medical Sciences, Nellimarla, Vizianagaram District, 2nd respondent herein. In accordance with the relevant provisions, the petitioner was subjected to medical test. The 2nd respondent refused to admit the petitioner, on the ground that during the course of medical check up, the petitioner was unable to distinguish between red and green colours. Therefore, he referred the petitioner for further action to the 1st respondent. The petitioner was referred to the Government General Hospital, Vijayawada, by the 1st respondent, for the purpose of ascertaining his medical fitness. The

Superintendent, Government General Hospital, Vijayawada, found that the petitioner had defective vision. Thereupon, the 1st respondent addressed a letter, dated 19.09.2005, to the Sarojini Devi Eye Hospital, Hyderabad, to conduct necessary test and certify the fitness of the petitioner.

This writ petition is filed alleging that even while the test ordered by the 1st respondent is in progress, the 2nd respondent is trying to fill the seat with other candidate.

After hearing the learned counsel for the petitioner and the learned standing counsel for the 1st respondent at length on 14.09.2005, this Court directed the respondents not to fill up the seat till the Sarojini Devi Eye Hospital submits its report. Today, the learned standing counsel for the 1st respondent has placed before this Court, a sealed cover containing the report of Sarojini Devi Eye Hospital. The report discloses that the Medical Board of that hospital examined the petitioner and found that the petitioner suffers from defective colour vision. With this, the view expressed by the 2nd respondent as well as the Superintendent, Government General Hospital, Vijayawada, stands confirmed. Therefore, no relief can be granted to the petitioner in view of these developments.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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L.NARASIMHA REDDY,J

Date:28.09.2005

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